

REMARKS

Claims 1-18 are pending in the above-identified application, of which claims 7-12 are withdrawn. In the Final Office Action dated March 3, 2006, the Examiner made the following disposition:

- A.) Rejected claims 1-4 and 13-16 under 35 U.S.C. §102(e) as allegedly being unpatentable over *Kamijo*.
- B.) Rejected claims 5-6 and 17-18 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Kamijo* in view of *Amano, et al.*

Applicants respectfully traverse the rejections and address the Examiner's disposition below.

- A.) Rejection of claims 1-4 and 13-16 under 35 U.S.C. §102(e) as allegedly being unpatentable over *Kamijo*:

Applicants respectfully traverse the rejection.

Referring to Applicants' Figure 3A as an illustrative example, independent claims 1 and 13 have each been amended to claim a sidewall portion of a second wiring that has a lower portion and an upper portion. The lower portion has a contact angle relative to an upper surface of a storage cell that is 45 degrees or more. The upper portion has an angle relative to the upper surface of the storage cell that is less than 45 degrees and greater than 0 degrees.

This is clearly unlike *Kamijo*, which fails to disclose or suggest Applicants' claimed sidewall portion. As shown in *Kamijo's* Figure 6, *Kamijo* teaches a sidewall portion that includes a single length that has a particular angle relative to a tunnel barrier layer 34. Unlike Applicants' claimed invention, *Kamijo's* sidewall portion does not include an upper portion, which has a particular angle, and a lower portion, which has a different angle.

For at least this reason, *Kamijo* fails to disclose or suggest claims 1 and 13.

Claims 2-4 and 14-16 depend directly or indirectly from claim 1 or 13 and are therefore allowable for at least the same reasons that claims 1 and 13 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claims 5-6 and 17-18 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Kamijo* in view of *Amano, et al.*:

Applicants respectfully traverse the rejection.

Independent claims 1 and 13 are allowable over *Kamijo* as discussed above. *Amano* still fails to disclose or suggest Applicants' claimed sidewall portion. Therefore, *Kamijo* in view of *Amano* still fails to disclose or suggest claims 1 and 13.

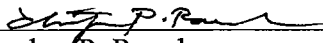
Claims 5-6 and 17-18 depend directly or indirectly from claims 1 or 13 and are therefore allowable for at least the same reasons that claims 1 and 13 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

In view of the foregoing, Applicant submits that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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